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SENATE BILL 3161 By
Williams, Sen.

HOUSE BILL 3207
By Givens

AN ACT to amend Chapter 129 of the Private Acts of 1939; as amended by Chapter 273 of the Private Acts of 1939, Chapter 309 of the Private Acts of 1955, and all other private acts amendatory thereto, to establish school districts within Hawkins County, Tennessee; to provide for the number, election, terms, duties and compensation of the members of the Hawkins County board of education; and to provide a method for filling vacancies on the board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 129 of the Private Acts of 1939, as amended by Chapter 273 of the Private Acts of 1939, Chapter 309 of the Private Acts of 1955, and all other acts amendatory thereto, is hereby amended by deleting Sections 1 through 10 of Chapter 129, and substituting instead the following language:

Section 1. The Board of Education of Hawkins County, Tennessee, shall be composed of seven (7) members, one to be elected from each of the seven (7) county commission districts as set and determined by the Hawkins County Legislative Body. Candidates must meet eligibility requirements as prescribed by statute, must be

residents of the district for which they are elected, and shall be elected by the residents of the county commission district in which they reside.

Section 2. Election of members of the board of education shall be held at the August General Election and shall be conducted on a non-partisan basis. A person seeking a position on the board may not campaign as the nominee or representative of a political party.

Section 3. Except as hereinafter provided, the members of the board shall be elected for a term of four (4) years, and may succeed themselves. Incumbents shall serve as members from the district in which they reside and shall complete the term for which they were elected. The first election, pursuant to this act, shall be held in August 2002. In order to establish staggered terms of office as required by law, at the August 2002 election, the members from District 3, 5, and 7 shall be elected for a term of four (4) years and the member from District 6 shall be elected for a term of two (2) years. At the August 2004 election the member from District 1 shall be elected for a term of two (2) years and the members from District 2, 4, and 6 shall be elected for a term of four (4) years, so that following the election in 2004, the terms of office of all members from the even-numbered districts shall expire at the same time, and the terms of office of all members from the odd-numbered districts shall expire at the same time and all members shall be elected to serve for a term of four (4) years.

Section 4. Vacancies occurring on the board shall be filled by the Hawkins County Legislative Body, as provided by law, until a successor is elected at the next general election. If a member of the board should cease to reside in the district from which such member was elected, the office shall be declared vacant and shall be filled as provided in this section.

Section 5. The duties of the members of the board of education shall be as prescribed by the general laws of the state of Tennessee.

Section 6. Compensation for members of the board of education shall be as previously and as hereinafter set by the Hawkins County Legislative Body.

SECTION 2. If any section, or portion of this act is held to be unconstitutional, such adjudication shall not affect the remaining portions of this act.

SECTION 3. This act shall have no effect until it is approved by a two-thirds (2/3) vote of the Hawkins County Legislative Body. Its approval or non-approval shall be proclaimed by the presiding officer of the Hawkins County Legislative Body and certified by the presiding office of the Hawkins County Legislative Body to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3 aforesaid.